

# SENATE NO. 1502

## **AN ACT** RELATIVE TO RETIREMENT CREDIT FOR NON-PUBLIC SCHOOL SERVICE

*Be it enacted by the Senate and House of Representatives in General Court assembled,  
And by the authority of the same, as follows:*

1 SECTION 1. Subdivision (4A) of section 3 of chapter 32 of the General Laws is hereby  
2 amended by inserting after the words “or the state-Boston retirement system, as inserted by  
3 section 81 of chapter 159 of the acts of 2000, the following words: - or non-public institutions  
4 of higher education.

5 SECTION 2. said subdivision (4A) of said section 3 of said chapter 32, as so appearing, is  
6 hereby further amended by striking out the fourth sentence and inserting in place thereof the  
7 following sentence: - Upon the completion of such payments, such member shall receive the  
8 same credit for such period of his previous nonpublic school or non-public institution of higher  
9 education service, or portion thereof elected, as would have been allowed if such service had  
10 been rendered by him in a public school of the commonwealth or public institution of higher  
11 education.

12 SECTION 3. Said subdivision (4A) of said section 3 of said chapter 32, as so appearing, is  
13 hereby further amended by striking out the sixth sentence and inserting in place thereof the

14 following sentence: - At the time a retirement allowance becomes due to member of to a  
15 beneficiary under the provisions of under option (d) of subsection (2) of section 12, if the  
16 Massachusetts service on the date either retirement allowance becomes effective, or on the date  
17 the member attained the age of 65, whichever first occurs is less than the service in non-public  
18 schools or non public institutions of higher education for which the member has paid, credit  
19 shall be allowed only for the most recent service rendered in non-public schools or non-public  
20 institutions of higher education equal to such Massachusetts service, and the amount paid for  
21 additional service shall be refunded with accumulated interest, refund only to be made when the  
22 retirement allowance becomes due to the member or to the beneficiary under option (d) of  
23 subdivision (2) of section 12, and if it has been found that payment has been accepted for nay  
24 service for which the member is entitled to a retirement allowance from any non-public school  
25 system or non-public institution of higher education, the amount paid for such service with  
26 accumulated interest shall also be refunded with no retirement credit allowed.